

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

FILED - GR
November 26, 2008 3:51 PM
RONALD C. WESTON, SR., CLERK
U.S. DISTRICT COURT
WESTERN DISTRICT OF MICHIGAN
BY: EC /

UNITED STATES OF AMERICA,

Plaintiff,

v.

ANDREW THOMAS COLLINS,

Defendant.

No.

Hon.

1:08-cr-298

Robert Holmes Bell
U.S. District Judge

INDICTMENT

The Grand Jury charges:

INTRODUCTION

At all times relevant to this Indictment:

1. Defendant Andrew Thomas Collins was a City of Benton Harbor Police Officer.
2. Defendant Andrew Thomas Collins was assigned to the Benton Harbor Police Department's Narcotics Unit. As a narcotics officer, Defendant Collins was responsible for the investigation and arrest of individuals involved in the illegal sale, distribution, and possession of narcotics.
3. As a narcotics officer, Defendant Collins worked with and oversaw the use of paid criminal narcotic informants. Paid criminal narcotic informants were utilized by Defendant Collins and the Benton Harbor Police Department to make controlled purchases of narcotics from individuals involved in the drug trade. Purchases of controlled substances were then used in part as a basis for obtaining search warrants.
4. As a narcotics officer, Defendant Collins sought and obtained search warrants for residences of suspected drug traffickers which often resulted in the seizure of narcotics by

Defendant Collins and other law enforcement officers.

5. As a narcotics officer, Defendant Collins made arrests and seized drugs from suspected drug users and distributors.

6. Defendant Collins abused his position of trust and authority as a Benton Harbor Police Officer in that on more than one occasion he seized narcotics in the course of his duties as a police officer, but intentionally failed to report and submit all of the seized narcotics to the Benton Harbor Police Department for secure and lawful retention, but instead retained possession of narcotics for his own use, gain or purpose.

7. From time to time, Defendant Collins would unlawfully distribute the narcotics that he wrongfully possessed. In particular, Defendant Collins did from time to time falsely report to the Benton Harbor Police Department that he had overseen the controlled purchases of narcotics by criminal narcotic informants, when in fact and in truth such purchases did not occur. In order to perpetuate and disguise the fact that no actual controlled purchases of narcotics were made, Defendant Collins did submit to the Benton Harbor Police Department quantities of his own wrongfully possessed narcotics. Defendant Collins did this in order to wrongfully secure search warrants and to embezzle funds from the Benton Harbor Police Department.

CHARGE

(Possession with Intent to Distribute Cocaine Base)

On or about February 18, 2008, in Benton Harbor, in the Western District of Michigan,
Southern Division,

ANDREW THOMAS COLLINS

knowingly, intentionally and unlawfully possessed with intent to distribute 5 grams or
more of a mixture or substance containing a detectable amount of cocaine base ("crack"
cocaine), a Schedule II controlled substance.

21 U.S.C. § 841(a)(1)

21 U.S.C. § 841(b)(1)(B)(iii)

A TRUE BILL



GRAND JURY FOREPERSON

DONALD A. DAVIS
United States Attorney



BRIAN K. DELANEY
Assistant United States Attorney